



RECEIVED
JAN 12 2004
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2333**
Toshimitsu ISHIKAWA et al. : Docket No. 00724/P10-258981/AM/SAN/US
Serial No. 09/393,168 : Group Art Unit 1617
Filed September 10, 1999 : Examiner Edward J. Webman

SOFT CAPSULE

NOTICE OF APPEAL

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated July 7, 2003 of the Primary Examiner finally rejecting claims 1-22.

(A timely response to the final rejection has been filed.

(The extension fee of \$475.00 for a three month extension of time is submitted with the attached Petition for Extension of Time.

(The Appeal Fee of \$330.00 (other than Small Entity)
 \$165.00 (Small Entity)

(is enclosed
(is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

(Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
(is enclosed.
(has been previously submitted.

() The Appeal Fee is not required since it was paid in a prior appeal.

Respectfully submitted,

Toshimitsu ISHIKAWA et al.

By:


Michael R. Davis
Registration No. 25,134
Attorney for Applicants

MRD/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
January 7, 2004